



PATENTS  
CRP-137 CPA2 (STK-071 CPA2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#47

Examiner : David S. Romeo  
Group Art : 1647  
Applicants : David C. Rueger et al.  
Application No. : 08/822,186 Confirmation No. : 6062  
Filed : March 20, 1997  
For : IMPROVED OSTEOGENIC DEVICES AND  
METHODS OF USE THEREOF FOR REPAIR OF  
ENDOCHONDRAL BONE AND OSTEOCHONDRAL  
DEFECTS

New York, New York  
July 29, 2003

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

STATEMENT OF THE SUBSTANCE OF INTERVIEW

Sir:

This is a written statement of the substance of the interview in reply to the Interview Summary attached to the July 1, 2003 Office Action in the above-identified application.

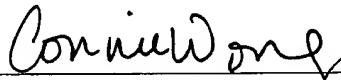
On June 23, 2003, Examiner David Romeo contacted applicants' representative, Ms. Connie Wong, by telephone with a proposed amendment to claim 1. The Examiner forwarded

EI125462182US

the proposed amendment to claim 1 (a copy of which is attached hereto as Exhibit 1) to applicants' representative via facsimile.

Applicants' representative and the Examiner did not reach an agreement because applicants' representative was unable to contact applicants in order to respond to the Examiner's proposed amendment in a timely fashion. Accordingly, applicants' representative requested that the Examiner issue an Office Action. Applicants will address the Examiner's proposed amendment in their response to the outstanding Office Action mailed on July 1, 2003.

Respectfully submitted,



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James F. Haley, Jr. (Reg. No. 27,794)  
Karen Mangasarian (Reg. No. 43,772)  
Attorneys for Applicants  
Connie Wong (Limited Recognition)  
Agent for Applicants  
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1251 Avenue of the Americas  
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07-31-3

1647

Docket No. CRP-137 CPA2 (STK-071 CPA2)

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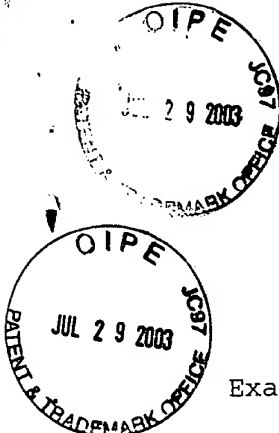
"Express Mail" mailing label number: EI125462182US.Date of Deposit: July 29, 2003.

I hereby certify that this paper/fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

  
Claudio J. Saint-Ivan Goodman

## Encls.:

- (1) Transmittal Letter (in duplicate);
- (2) Statement of the Substance of Interview;
- (3) Exhibit 1;
- (4) Limited Recognition under 37 C.F.R. § 10.9(b); and
- (5) Postcard.



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Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ a Statement of the  
Substance of Interview; ☒ Exhibit 1; ☒ Limited Recognition  
under 37 C.F.R. § 10.9(b); ☒ Express Mail Certification; ☐  
a substitute Specification; ☐ a Declaration; ☐ a  
Supplemental Declaration; ☐ a Power of Attorney; ☐ an  
Associate Power of Attorney; ☐ formal drawings; to be filed  
in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.  
☐ A fee for additional claims is required.

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The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	=	X \$ 18 =	\$ 0
INDEPENDENT CLAIMS	-	=	X \$ 84 =	\$ 0
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$ 280 =	\$ 0
* If less than 20, insert 20.				TOTAL <u>\$ 0</u>

\*\* If less than 3, insert 3.

[ ] A check in the amount of \$\_\_\_\_\_ in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

[ ] The following extension is applicable to the Response filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$410.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [ ] \$930.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,450.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,970.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

☐ A check in the amount of ☐ \$110.00; ☐ \$410.00; ☐ \$930.00; ☐ \$1,450.00; ☐ \$1,970.00 in payment of the extension fee is transmitted herewith.

☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17(a)(3) in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge the ☐ \$110.00; ☐ \$410.00; ☐ \$930.00; ☐ \$1,450.00; ☐ \$1,970.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

*Connie Wong*

James F. Haley, Jr. (Reg. No. 27,794)

Karen Mangasarian (Reg. No. 43,772)

Attorneys for Applicants

Connie Wong (Limited Recognition)

Agent for Applicants

c/o FISH & NEAVE

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BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
UNITED STATE PATENT AND TRADEMARK OFFICE

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Ms. Connie Wong is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Fish & Neave to prepare and prosecute patent applications wherein the patent applicant is the client of Fish & Neave, and the attorney or agent of record in the applications is a registered practitioner who is a member of Fish & Neave. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Ms. Connie Wong ceases to lawfully reside in the United States, (ii) Ms. Connie Wong's employment with Fish & Neave ceases or is terminated, or (iii) Ms. Connie Wong ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: December 6, 2003

Harry I. Moatz  
Director of Enrollment and Discipline

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